Application No.:

10/748,753

Confirmation No.:

2695

Applicant:

Wagner, Paul Michael

Filed:

December 30, 2003

TC/A.U.

2187

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Examiner:

Moazzami, Nasser G.

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Docket No.:

1301-026

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Commissioner for Patents

P O Box 1450

Alexandria, VA 22313-1450

## **AMENDMENT UNDER 37 CFR 1.116**

Sir:

In response to the Final Rejection dated June 16, 2006, with a period set to respond by September 16, 2006, please amend the above-identified application as follows. In addition, it is noted that this amendment has been filed within two months of the mailing date of a Final Rejection, thus invoking the Patent Office policy concerning extensions of time when a response after Final Rejection is filed within two months of the mailing date of the Office Action.

Amendments to the Claims are reflected in the listing of claims which begin on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.



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## FACSIMILE MEMORANDUM

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TO: Examiner Nasser G. Moazzami

FAX #: 571-273-8300 (1301-026)

FROM: A. José Cortina, Reg. 29,733

**DATE**: August 16, 2006

RE: U.S. Application Serial No. 10/748,753; filed December 30, 2003

Docket No. 1301-026; Applicant Wagner et al.

I certify that the attached Amendment Under 37 CFR 1.116 responsive to the Office Action dated June 16, 2006 is being transmitted via facsimile to the Patent and Trademark Office on August 16, 2006.

Ann Hammack

AUG 1 6 2006

PTO/S9/21 (07-06)
Approved for use through 09/30/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid QMB control number. Application Number 10/748.753 Filing Date TRANSMITTAL December 30, 2003 First Named Inventor FORM Wagner, et al Art Unit 2187 Examiner Name Nasser G. Moazzami (to be used for all correspondence after initial filing) Attorney Docket Number 1301-026 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance Communication to TC Fee Transmittal Form Drawing(s) Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to TC Petition (Appeal Notice, Brief, Reply Brief) Amendment/Reply Petition to Convert to a Proprietary Information After Final Provisional Application Power of Attorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address Other Enclosure(s) (please identify Terminal Disclaimer Extension of Time Request below): Fee Determination Record Request for Refund Express Abandonment Request Return Receipt Postcard CD, Number of CD(s) Information Disclosure Statement Landscape Table on CD Certified Copy of Priority Remarks Document(s) Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name Daniels, Daniels & Verdonik, P.A. Signature Printed name A. Jose Cortina Reg. No. August 16, 2006 29,733 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mall in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alaxandria, VA 22313-1450 on the date shown below: Signature 12(2) Date August 16, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will very depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1550, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Ann Hammack

Typed or printed name